

LAW OFFICES OF
FAY KAPLUN & MARCIN, LLP
INTELLECTUAL PROPERTY LAW

150 BROADWAY, SUITE 702
NEW YORK, NEW YORK 10038
PHONE: (212) 619-6000
FAX: (212) 208-6819
WWW.FKMIPLAW.COM

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TO : Commissioner for Patents
Mail Stop: Appeal Brief-Patents
FROM : Oleg F. Kaplun, Esq. of Fay Kaplun & Marcin, LLP
DATE : April 1, 2008
SUBJECT : U.S. Patent Appln. Serial No. 10/807,590
for *Dual Lumen Port With F-Shaped Connector*
Our Ref.: 10123/04201

NUMBER OF PAGES INCLUDING COVER : 9

MESSAGE:

Please see attached.

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Attorney Docket No. 10123/04201 (03-369US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Girard et al.
Serial No. : 10/807,590
Filed : March 24, 2004
For : Dual Lumen Port With F-Shaped Connector
Group Art Unit : 3763
Confirmation No. : 3798
Examiner : Matthew F. DeSanto

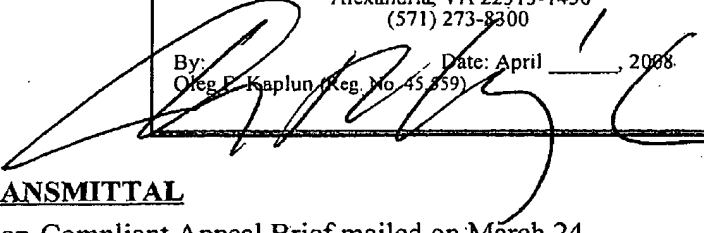
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By:  Date: April 1, 2008
Oleg F. Kaplun (Reg. No. 45,559)

TRANSMITTAL

In response to the Notification of Non-Compliant Appeal Brief mailed on March 24, 2008, transmitted herewith please find a revised portion of the Appeal Brief for filing in the above-identified application. No fees are believed to be required. However, the Commissioner is hereby authorized to charge the **Deposit Account of Fay Kaplun & Marcin, LLP NO. 50-1492** for any additional required fees. A copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated: April 1, 2008

By: 
Oleg F. Kaplun (Reg. No. 45,559)

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, NY 10038
Tel: (212)619-6000
Fax: (212) 619-0276

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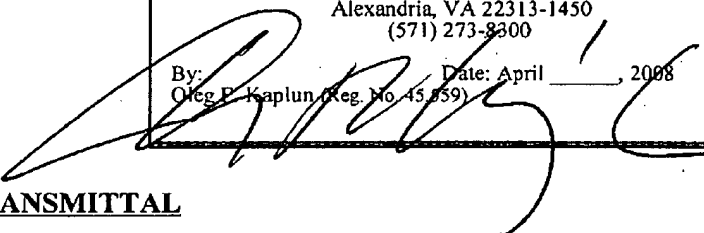
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Attorney Docket No.: 10123 - 04201

CLAIMS APPENDIX

1. (Previously Presented) A port for subcutaneous implantation, comprising:
 - a housing including first and second wells formed therein; and
 - a substantially F-shaped flow element including first and second lumens extending therethrough wherein, when in an operative configuration the F-shaped flow element is coupled to the housing with a proximal end of each of the lumens in fluid communication with a respective one of the first and second wells for receiving fluid therefrom, and wherein distal ends of each of the lumens form outlets, each outlet being coupleable to a lumen of a medical catheter, the F-shaped flow element including first and second arms extending from a trunk with the first lumen extending through the first arm to the trunk and the second lumen extending through the second arm to the trunk, the first and second lumens being separated from one another within the trunk, the first arm including a first portion extending from an intersection with the second arm substantially parallel to the trunk and a second portion extending substantially parallel to the second arm, wherein the first portion of the first arm is separated from the housing by a gap.
2. (Original) The port according to claim 1, wherein the first and second lumens are separated from one another in the trunk by a partition extending across an interior space thereof.
3. (Original) The port according to claim 1, wherein the first and second wells are positioned along an axis of the housing and wherein the first and second arms extend from the trunk at an angle relative to an axis.
4. (Original) The port according to claim 3, wherein, when in the operative configuration,

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the trunk extends substantially parallel to the axis.

5. (Original) The port according to claim 4, wherein the first and second arms extend from the trunk at an angle of between about 30 degrees and about 60 degrees relative thereto.

6. (Original) The port according to claim 1, wherein the first and second arms have a substantially circular cross-sectional shape.

7. (Original) The port according to claim 1, wherein the trunk has a substantially circular cross-sectional shape.

8. (Original) The port according to claim 1, wherein the first and second arms have a substantially semi-circular cross section.

9. (Original) The port according to claim 1, wherein the trunk has a substantially semi-circular cross section.

11 - 12. (Cancelled)

10. (Original) The port according to claim 1, further comprising at least one flow control valve located between a first one of the wells and the corresponding outlet.

13. (Previously Presented) A dual well port device, comprising:

a housing defining first and second wells disposed along an axis of the housing;

and

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an F-shaped flow element including separate lumens independent of one another, the first lumen, when the flow element is in an operative configuration coupled to the housing, being fluidly connected to the first well and having an arm portion extending at a first angle relative to the axis and wherein, when in the operative configuration, the second lumen is fluidly connected to the second well and includes an arm portion extending at a second angle relative to the axis, the F-shaped flow element including a trunk enclosing trunk portions of the first and second lumens, the first arm including a first portion extending from an intersection with the second arm substantially parallel to the trunk and a second portion extending substantially parallel to the second arm, wherein the first portion of the first arm is separated from the housing by a gap.

14. (Original) The dual well port device according to claim 13, further comprising a partition of the trunk separating the trunk portions of the first and second lumens.

15. (Original) The dual well port device according to claim 13, wherein the first angle is substantially the same as the second angle.

16. (Original) The dual well port device according to claim 13, wherein, when the F-shaped flow element is in the operative configuration, the trunk is disposed substantially parallel to the axis.

17. (Cancelled)

18. (Original) The dual well port device according to claim 13, wherein a flow control valve is disposed between the first well and an outlet of the first lumen.

19. (Previously Presented) A method of infusing fluids into a patient, comprising:

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implanting distal ends of first and second catheter lumens into a blood vessel;

fluidly connecting each of the first and second catheter lumens to first and second flow element lumens of an F-shaped flow element, the first flow element lumen extending through a trunk of the F-shaped flow element and through the first arm to fluidly connect to a first well of a dual well port and the second flow element lumen extending through the trunk and a second arm to fluidly connect to a second well of the port, wherein the first and second flow element lumens are separated from one another in the trunk, the first arm including a first portion extending from an intersection with the second arm substantially parallel to the trunk and a second portion extending substantially parallel to the second arm, wherein the first portion of the first arm is separated from the housing by a gap;

introducing a first fluid into the first well; and

introducing a second fluid into the second well so that the first and second fluids are passed into the blood vessel without intermingling with one another prior to leaving the distal ends of the first and second catheter lumens.

20. (Original) The method according to claim 19, further comprising injecting each of the first and second fluids into the corresponding ones of the first and second wells through a corresponding septum.
21. (Original) The method according to claim 19, further comprising connecting the F-shaped flow element to the dual well port.
22. (Previously Presented) An F-shaped connector for a dual well port, comprising:

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a trunk including first and second connector lumens extending therethrough, distal ends of each of the first and second connector lumens being connectable to proximal ends of separate catheter lumens;

a first arm of the trunk extending from the trunk at an angle relative thereto and including an arm portion of the first connector lumen, a proximal end of the arm portion of the first connector lumen being fluidly connectable to a first of the dual well port; and

a second arm of the trunk extending from the trunk at an angle relative thereto and including an arm portion of the second connector lumen, a proximal end of the arm portion of the second connector lumen being fluidly connectable to a second well of the dual well port, wherein the first and second connector lumens are separate from one another so that fluid from the first well does not mix with fluid from the second well before reaching the distal ends of the first and second connector lumens, the first arm including a first portion extending from an intersection with the second arm substantially parallel to the trunk and a second portion extending substantially parallel to the second arm, wherein the first portion of the first arm is separated from the housing by a gap.

23. (Original) The connector according to claim 22, further comprising a partition of the trunk separating trunk portions of the first and second lumen connector lumens from one another.
24. (Original) The connector according to claim 22, further comprising an attachment for a flow control valve at an inlet of at least one of the first and second arms.
25. (Original) The connector according to claim 22, wherein the first and second arms are connectable to the port at an angle relative to an axis of the port.

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26. (Original) The connector according to claim 25, wherein the angle relative to the axis is between about 30 degrees and about 60 degrees.
27. (Original) The connector according to claim 22, wherein the trunk is adapted to be disposed when connected to the dual well port at an angle selected to minimize a width of the dual well port.
28. (Original) The connector according to claim 22, wherein the trunk has one of a substantially circular and substantially semi-circular cross-sectional shape.